

### REMARKS

Claim 1 was presented for examination and was rejected. In response to the Office Action mailed December 1, 2004, the applicant filed an amendment that amended claim 1 and added claims 2-26. An Office Action was mailed on July 26, 2005, to which this amendment is responsive, that notified the applicant that since an action on the merits had already been mailed, claim 1, as originally filed, was constructively elected, and the remaining claims 2-26 did not read on that claim and were therefore withdrawn.

The fee for new claims 2-26 was deducted from my Deposit Account on May 6, 2005. Therefore, no fee is due for these claims at this time.

Reconsideration is respectfully requested.

### The 35 U.S.C. § 102 Rejections

Claim 1 is rejected as being anticipated by Crowley.

Claim 1 is rejected as being anticipated by Lemelson.

Claim 1 is rejected as being anticipated by Mah et al.

The rejections are respectfully traversed.

The applicant has amended claim 1 to include limitations not taught by Crowley, Lemelson and Mah et al. For example, none of the references teach the applicant's probe shaft comprising a proximal end and a distal end, wherein said proximal end is mounted to a support that comprises a key-opening; at least one

first fiber optic that traverses the length of the inside of said probe shaft; and a handle shaft with a key fixedly attached to said handle shaft, wherein when said key is inserted into said key-opening, said at least one first fiber optic is in optical alignment with said at least one second fiber optic.

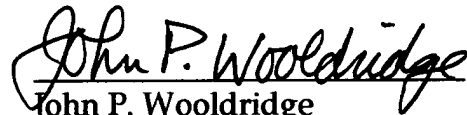
Therefore the rejections should be withdrawn.

#### Conclusions

It is submitted that this application is in condition for allowance based on claims 1-24 in view of the amendments thereto and the foregoing comments.

If any impediments remain to prompt allowance of the case, please contact the undersigned at 808-875-0012.

Respectfully submitted,

  
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Dated: January 26, 2006